

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/031,144	TSAI ET AL.	
	Examiner	Art Unit	
	Victor S Chang	1771	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to amendment filed 7/2/2004.
2.  The allowed claim(s) is/are 1-3,5-11,13,14,16-25,38-40,42-46,48,49 and 51-56.
3.  The drawings filed on 07 January 2002 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Edward Kriegsman on 9/14/2004.

The application has been amended as follows:

#### **IN THE CLAIMS**

1. (Currently amended) A heat-transfer label, said heat-transfer label comprising:

(a) a support portion, said support portion comprising

(i) a carrier, wherein said carrier is made of a polymer selected from the group consisting of polyesters, polyolefins and polyamides, and

(ii) a first release coating positioned over said carrier, said first release coating being made of a non-wax, non-silicone, thermoset release material, said first release coating having a total surface energy of about 25 to 35 mN/m, of which about 0.1 to 4 mN/m is polar surface energy, and being made by (A) applying to the carrier in its amorphous or semi-oriented state a composition comprising (1) a functionalized  $\alpha$ -olefin containing copolymer and (2) a crosslinking agent; and (B) reacting said composition with the carrier during uniaxial or biaxial stretching and heat setting; and

(b) a transfer portion, said transfer portion being positioned over said support portion for transfer of the transfer portion from the support portion to an article under conditions of heat and pressure, said transfer portion comprising

(i) a protective lacquer layer, said protective lacquer layer being positioned over said first release coating, and

(ii) an ink design layer, said ink design layer being positioned over said first release protective lacquer layer, and

(iii) a heat-activatable adhesive layer positioned over said ink design layer;

(c) whereby said first release coating separates cleanly from said transfer portion with no visually discernible portion of said release coating being transferred to the article along with the transfer portion.

38. (Currently amended) A transfer label comprising:

(a) a support portion, said support portion comprising

(i) a carrier, wherein said carrier is made of a polymer selected from the group consisting of polyesters, polyolefins and polyamides, and

(ii) a first release coating positioned over said carrier, said first release coating being made of a non-wax, non-silicone, thermoset release material, said first release coating having a total surface energy of about 25 to 35 mN/m, of which about 0.1 to 4 mN/m is polar surface energy, and being made by (A) applying to the carrier in its amorphous or semi-oriented state a composition comprising (1) a functionalized

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$\alpha$ -olefin containing copolymer and (2) a crosslinking agent; and (B) reacting said composition with the carrier during uniaxial or biaxial stretching and heat setting; and

(b) a transfer portion, said transfer portion being positioned over said support portion for transfer of the transfer portion from the support portion to an article under conditions of heat and pressure, said transfer portion comprising

(i) a protective lacquer layer, said protective lacquer layer being positioned over said first release coating, and

(ii) an ink design layer, said ink design layer being positioned over said first release protective lacquer layer, and

(iii) a heat-activatable adhesive layer positioned over said ink design layer;

(c) whereby said first release coating separates cleanly from said transfer portion with no visually discernible portion of said release coating being transferred to the article along with the transfer portion.

Claims 4 and 41 are cancelled.

## REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

It is noted that Plankratz et al. (US 6114021) teaches the same support and coating layer as the instant invention. However, Plankratz teaches the coating as an adhesion enhancing primer coating to various subsequent coatings including a wax based thermal transfer media inks. The Examiner notes that Plankratz lacks a teaching

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that the coating layer functions as a release coating for a heat transfer label. As such, the instant invention, which has a transfer portion comprising a protective lacquer layer to be releasable from the same support and coating layer of Plankratz is neither taught by nor obvious over Plankratz.

### **Conclusion**

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor S Chang whose telephone number is 571-272-1474. The examiner can normally be reached on 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel H Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VSC

Victor S Chang  
Examiner  
Art Unit 1771

9/14/2004



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SUPERVISORY PATENT EXAMINER  
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